

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:	10/055,279	Conf. No.:	6772
Filing Date:	01/22/2002	Art Unit:	2655
Applicants:	Byrd <i>et al.</i>	Examiner:	Vo, Huyen X.
Title:	SYSTEM AND METHOD FOR HYBRID TEXT MINING FOR FINDING ABBREVIATIONS AND THEIR DEFINITIONS	Docket No.:	YOR920010750US1 (IBMY-0042)

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Commissioner for Patents
P.O. Box 1450
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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

Applicants respectfully request a panel of experienced examiners perform a detailed review of appealable issues for the above-identified patent application pursuant to the Pre-Appeal Brief Conference Pilot Program. Applicants submit that the above-identified application is not in condition for appeal because the Office has failed to establish a prima facie case of obviousness based on an error in facts. Claims 1-22 are pending in this application.

Turning to the rejection, in the Final Office Action, claims 1-22 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Malsheen (U.S. Patent No. 6,701,345), hereafter “Malsheen,” in view of Acrophile: An Automated Acronym Extractor and Server, pp. 209-214, by Leah S. Larkey, Paul Ogilvie, M. Andrew Price, Department of Computer Science, University of Massachusetts, Amherst, MA, Brenden Tamilio, School of Cognitive Science, Hampshire College, Amherst, MA., hereafter “Larkey.” Applicants submit that this rejection is clearly not proper and without basis because at least one claim limitation is not met by the

combined features of the references cited by the Office. As argued in the April 10, 2007 Amendment, the cited references fail to teach or suggest each and every element of independent claim 1. In particular, Larkey fails to teach or suggest an abbreviation pattern generation process that generates one or more abbreviation patterns representing candidate abbreviations. April 10, 2007 Amendment, page 7, final paragraph through page 8, first full paragraph. In contrast, Larkey simply compiles its acronyms and their expansions for listing in a database. The Office, in its Final Office Action argues that the word generate may be defined as “to bring into existence, cause to be, produce.” Page 2. Even assuming, *arguendo*, the Office’s definition, compiling, i.e., retrieving something from another location does none of bringing into existence, causing to be or producing the item, and, as such, does not fall under the Office’s definition of generate. Thus, the building and updating of the database of Larkey by compiling does not teach or suggest the generation of items, e.g., the one or more abbreviation patterns of the claimed invention.

As further argued in the April 10, 2007 Amendment, Larkey also fails to teach or suggest a definition pattern generation process that generates one or more definition patterns representing candidate definitions. See April 10, 2007 Amendment, page 8, second full paragraph through page 9, end of continued paragraph. Instead, the passage of Larkey cited by the Office teaches finding an expansion for an acronym. To this extent, the Office equates an acronym with the definition patterns of the claimed invention. However, the acronym of Larkey is just that, an acronym, i.e., a word formed from the initial letter of a group of words and is not of a pattern, i.e., a model or guide for something that is made. Accordingly, the acronyms of Larkey do not teach or suggest the definition patterns of the claimed invention.

Accordingly, the Office has failed to state a prima facie case of anticipation, and this application is not in condition for appeal and should either be allowed as is, or re-opened for further prosecution.

With respect to the rejections of independent claim 21, Applicants note that each claim includes a feature similar in scope to the features discussed with regard to independent claim 1. Further, the Office relies on the same arguments and interpretations of the cited references as discussed above with respect to claim 1. To this extent, Applicants herein incorporate the arguments presented above with respect to claim 1, and respectfully request withdrawal of the rejections of these claims for the above-stated reasons.

The dependent claims are believed to be allowable based on the above arguments regarding the claims from which they depend, as well as for their own additional features.

Applicants respectfully submit that the application is not in condition for appeal. Should the examining panel believe that anything further is necessary to place the application in better condition for allowance or for appeal, they are requested to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,



Date: October 17, 2007

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